



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

December 19, 2011

Nicholas Huntington
Former Alternate Commissioner
Asparagus Commission

REDACTED

Warning Letter Re: FPPC Case No. 11/842; Nicholas Huntington

Dear Mr. Huntington:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act") found in Government Code Section 81000, and following. This letter is in response to a referral from the FPPC's Technical Assistance Division that alleged you failed to file your 2010 Annual Statement of Economic Interests. The Act requires that employees designated in their agency's conflict of interest code file Statements of Economic Interests (Form 700) when they assume office, annually thereafter, and within 30 days of leaving their position.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file a Leaving Office Statement of Economic Interests by the due date of August 2, 2010. Although you have since amended your 2010 Annual Statement of Economic Interests filed for your position with the California Leafy Greens Research Board to also show the leaving office date and have filed that statement with the FPPC, you have failed to attach the schedules A-1 through C that are listed as being attached. You must forward these schedules to the FPPC for this Leaving Office Statement of Economic Interests to be considered filed.

Your actions violated the Act because you failed to file the required statement in a timely manner and have now only partially filed the statement despite our attempts to ask you to file the missing schedules. (Gov. Code § 87300.) However, because you have left office and you do not have a history of violating the Act, we are closing this matter with a warning letter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on future conduct or newly discovered information. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.



Although the Enforcement Division is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Gov. Code § 91013.)

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Adrienne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

 **REDACTED** 
Gary S. Winuk
Chief, Enforcement Division

GSW/AK/ak

cc: Technical Assistance Division, FPPC, with partial statement attached